IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 14759 of 2004

Between:

Mr.Y.Srinivasa Rao, S/o.Sri Y.Gnanaprakash,
R/o.Kuchipudi Village, Amrathulur Mandal, Guntur Dist.

..... PETITIONER

AND

1 The Deputy Commissioner Endowments, Guntur, Naaz Centre, Kothapet,

Guntur.
2 The Executive Officer, Kuchipudi group of Templex, Kuchipudi village,
Amrathulur Mandal, Guntur Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to grant an order or direction or writ, more so in the nature of writ of mandamus, declaring the inaction of the first respondent in issuing the certified copy of the orders of the first respondent passed in IA No.32/2003 in OA No.41/2001 dated 27-12-2003 as arbitrary, illegal and violative of the provisions of the A.P.Charitable and Religious Institutions and Endowments Act, 1987 and the rules made thereunder and also Article 14 of the constitution of India and consequently to direct the first respondent to issue certified copy of orders dated 27-12-2003 passed in IA No.32/2003 in OA No.41/2001 impleading the petitioner as a party in OA No.41/2001.

Counsel for the Petitioner: MR.R.RAGHUNANDAN

Counsel for the Respondents: GP FOR ENDOWMENTS

The Court made the following:

ORDER:

The petitioner states that O.A.No.41 of 2001 on the file of the Deputy Commissioner of Endowments, Guntur was filed against his father Sri.Y.Gnanaprakash Rao, under Section 133 of the Andhra Pradesh Charitable and Religious Institutions and Endowments Act, 1987 for handing over the records of Koganti Ramaswamy Trust, Pulichinthalapalem, Kuchipudi. It appears that the father of the petitioner expired during the pendency of the said proceedings and that the petitioner was brought on record by order dated 27.12.2003 in I.A.No.32 of 2003. The petitioner states that he was never served with any notice in I.A.No.32 of 2003 and that the order dated 27.12.2003, is illegal. Since he intends to challenge the said order, he made an application before the first respondent requesting him to furnish a certified copy of the order dated 27-12-2003. The grievance of the petitioner is that the first respondent, while keeping his application pending and without furnishing him the certified copy of the order as sought by him, has been proceeding with the enquiry in O.A.No.41 of 2001. Hence this writ petition.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Endowments for the 1st respondent.

When the writ petition was taken up for consideration on 19-08-2004, the learned Government Pleader sought time for getting instructions and accordingly the matter is adjourned to today. But the learned Government Pleader could not point out any valid reason for not

furnishing the copy sought by the petitioner. On the other hand, the learned Counsel for the petitioner has placed before this Court a copy of the application filed by him requesting for the certified copy of the order passed in I.A.No.32 of 2003 in O.A.No.41 of 2001 and states that the requisite fee has also been paid by the petitioner. If that be so, the office of the 1st respondent is bound to furnish the certified copy as sought by the petitioner.

Accordingly, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to furnish to the petitioner the certified copy of the order dated 27.12.2003 in I.A.No.32 of 2003 in O.A.No.41 of 2001 on payment of usual charges within a period of one week from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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23.08.2004

Note: Furnish CC in two days

(b/o)

VGB

To

1 The Deputy Commissioner Endowments, Guntur, Naaz Centre, Kothapet,

Guntur.

2 The Executive Officer, Kuchipudi group of Templex, Kuchipudi village, Amrathulur Mandal, Guntur Dist.

3 2CCs to the Government Pleader for Endowments, High Court

Buildings, Hyderabad (OUT)

4 2CD copies